

REMARKS/ARGUMENTS

This Amendment is being filed in response to the Office Action dated April 30, 2009. Reconsideration and allowance of the application in view of the amendments made above and the remarks to follow are respectfully requested.

Claims 1-20 are pending in the Application. Claims 1, 4, 8 and 13 are independent claims. By means of the present amendment, the claims are amended including for better conformance to U.S. practice, as well as correcting certain informalities noted upon review of the claims. By these amendments, the claims are not amended to address issues of patentability and Applicants respectfully reserve all rights under the Doctrine of Equivalents. Applicants furthermore reserve the right to reintroduce subject matter deleted herein at a later time during the prosecution of this application or continuing applications. Claims 17-20 are added by this amendment.

Applicants thank the Examiner for acknowledging the claim for priority and receipt of certified copies of all the priority documents.

In the Office Action, it is indicated that the title of the invention is not sufficiently descriptive and a new title is

required. In response, the current title has been deleted and substituted with a new title which is clearly indicative of the invention to which the claims are directed. Accordingly, withdrawal of the objection to the title is respectfully requested.

In the Office Action, claims 1-16 are rejected under 35 U.S.C. §102(b) over U.S. Patent No. 7,286,747 to Lewis ("Lewis"). This rejection is respectfully traversed. It is respectfully submitted that claims 1-16 are allowable over Lewis for at least the following reasons.

Lewis, in col. 5, lines 34-59 referenced in the Office Action in rejecting claim 1, states the following:

Each time the user specifies a bookmark, the data associated with the bookmark is saved in a similar fashion. Subsequently, when the user specifies playback from a particular bookmark, disk player 24 retrieves the navigation information associated with that bookmark from the auxiliary table and launches the user operative resume to start presentation from the bookmarked point.
(Particularly, see Lewis,col. 5, lines 51-57.)

In other words Lewis merely provides for restarting a single stream presentation from any of the user created bookmarks. This is different from what is described in the present application.

As explained in the present application, page 1, lines 8-19, the present system, such as recited in claim 1 of the present application, is directed to content having several alternative

endings. A user selects from among numerous alternative, sometimes incompatible story lines, paths, or branches of the content (e.g., see present application, FIG. 1). A problem being solved by the present system, stems from the fact that when the forward or rewind functions of the player is exercised to return to viewed content or to skip content frames, the content player needs to know what branch of the many content branches the user wants to take.

It is respectfully submitted that the apparatus of claim 1 is not anticipated or made obvious by the teachings of Lewis. For example, Lewis does not teach, disclose or suggest, an apparatus that amongst other patentable elements, comprises (illustrative emphasis added) "detecting a branch indication within the playing content, the branch indication identifying which branch of the plurality of distinct branches of the content to playback; and creating a bookmark corresponding to the detected branch indication to record relevant information of said branch indication for navigation of the content for subsequent playing" as recited in claim 1, and as similarly recited in each of claims 4, 8 and 13.

Lewis merely provides a bookmark within a single presentation stream and does not provide a bookmark corresponding to the

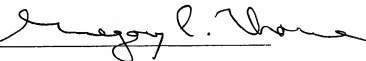
detected branch indication identifying which branch of the plurality of distinct branches of the content to playback as substantially recited in each of the pending independent claims.

Based on the foregoing, the Applicants respectfully submit that independent claims 1, 4, 8 and 13 are patentable over Lewis and notice to this effect is earnestly solicited. Claims 2-3, 5-7, 9-12 and 14-20 respectively depend from one of claims 1, 4, 8 and 13 and accordingly are allowable for at least this reason as well as for the separately patentable elements contained in each of the claims. Accordingly, separate consideration of each of the dependent claims is respectfully requested.

In addition, Applicants deny any statement, position or averment of the Examiner that is not specifically addressed by the foregoing argument and response. Any rejections and/or points of argument not addressed would appear to be moot in view of the presented remarks. However, the Applicants reserve the right to submit further arguments in support of the above stated position, should that become necessary. No arguments are waived and none of the Examiner's statements are conceded.

Applicants have made a diligent and sincere effort to place this application in condition for immediate allowance and notice to this effect is earnestly solicited.

Respectfully submitted,

By 

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